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Application No. 09/745,606
Amendment F**REMARKS**

Responsive to the Office Action mailed May 3, 2006, Applicants provide the following. Eighteen (18) claims remain pending in the application: Claims 1-11 and 14-20. Reconsideration of claims 1-11 and 14-20 in view of the remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §103

Claims 1-11 and 14-20 stand rejected under 35 U.S.C. § 103 (a), as being anticipated by U.S. Patent No. 6,141,003 (Chor et al.) in view of U.S. Patent No. 6,571,390 (Dunn et al.). Applicants respectfully traverse these rejections and submit that claims 1-11 and 14-20 are not obvious in view of the combination of the Chor and Dunn patents. More specifically, claim 1 for example recites in part, "displaying a menu ... including displaying an add icon ... being displayed when the current channel is not stored in said memory and displaying a remove icon in place of the add icon ... when the current channel is stored in said memory".

The office action notes that the Chor patent does not teach a remove icon in place of the add icon where the remove icon is selectable to remove the channel as recited in claim 1, and suggests that the Dunn patent teaches "a remove icon that is selectable to remove the channel associated with the current displayed [show]" (office action, pg. 4). However, the Dunn patent does not teach an icon for removing a channel associated with a current program, and instead only describes a remove icon for removing programs from a program list (see Dunn, col. 9, lns. 35-41). Specifically, Dunn states that "a 'remove' icon button 122 ... can be actuated to delete the highlighted

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program title from the list” (Dunn, col. 9, line 36-37). Dunn does not teach or suggest removing a channel from a listing of channels. Therefore, the combination of Chor and Dunn, at best, would only provide for the removal of programs from a program list or the removal of a channel from a favorites list upon addition of another channel in excess of a limit, and does not teach or suggest a remove icon displayed in place of the add icon to remove a channel from a channel list.

Further, the Dunn patent does not teach that the remove icon is displayed in place of the add icon when the current channel is stored in memory as claimed. In the system described by Dunn both the “Add To List” button 80 and the “Remove” button 120 are shown simultaneously, and the user can either highlight and remove programs from a list or add new programs to the list (see at least Dunn, Fig. 5). Furthermore, Dunn specifically states that “[t]he ‘add to list’ icon button 80 is available on all of the screen displays for the user’s convenience and to further enhance the degree of interactivity of the system” (Dunn, col. 9, lines 50-53). As such, the Dunn patent does not teach a remove icon displayed in place of the add icon, and instead, Dunn specifically teaches away from displaying the remove icon in place of the add icon in that the “Add to List” icon is always displayed. The office action states that the Chor patent does not teach a remove icon displayed in place of the add icon, and it has been shown that the Dunn patent also fails to show at least a remove icon that is displayed in place of the add icon. Therefore, the applied combination fails to teach each limitation as recited in claim 1, and thus, a *prima facie* case of obviousness has not been established.

Additionally, even if, *arguendo*, one were to combine the Dunn patent with the Chor patent the combination would not result in a system where channels associated with a program can be added to a channel list by an add icon and alternatively can be removed from that channel list. Instead, the combination of the Dunn and Chor patent would result in two separate lists, a first list containing channels added by a user with the “add” button to add channels to the channel list, and second list containing programs

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with both "Add to List" and "Remove" buttons being displayed. As such, claim 1 is not obvious in view of the Chor and Dunn patent, and therefore, is in condition for allowance.

Claim 11 includes similar language as that recited in claim 1, providing a "menu including a first icon selectable to add the current channel to a list ... and including a second icon in place of the first icon ... to remove the current channel from the list ... when the current channel is currently stored in the list of channels" (claim 11).

Again, the applied combination of Chor and Dunn patents does not teach or suggest at least a selectable icon to remove a current channel from the listing in place of an add icon when the channel is stored in memory. Therefore, claim 11 is also not obvious in view of the Chor and Dunn patent.

Claims 2-10 and 14-20 depend from claims 1 and 11, respectively. Therefore, claims 2-10 and 14-20 are also not obvious due at least to their dependency claims 1 and 11.

Further with regard to at least claim 18, Applicants respectfully submit that Chor fails to teach or describe at least a "second screen menu further comprises a graphical portion, said list of channels being scrollable, said graphical portion displaying a show corresponding to a channel in said list during scrolling" as recited by claim 18. There is no teaching or suggestion in Chor to display a screen menu with a scrollable listing of channels and a graphical portion displaying shows corresponding to the channels during scrolling. Instead, Chor requires the user to click upon the icon currently having focus (or other similar action such as a keystroke) in order to view the show corresponding to the channel stored in memory (Chor, col. 8, lines 39-67).

Regarding at least claim 19, Applicants respectfully submit that Chor fails to teach or describe at least a secondary menu further comprising a text portion including a description of the show corresponding to the channel in the list of channels stored in memory as recited by claim 19. The channel bars displaying the stored channels described by Chor are a set of linearly arranged actuatable icons associated with a

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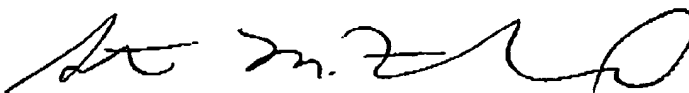
particular stored channel (Chor, col. 2, lines 39-41 and 48-50). The channel bars described in Chor do not comprise a text portion providing a program description for the show corresponding to a channel stored in memory. At best, Chor describes a banner for displaying program information (Chor col. 5, lines 40-55) as part of the full channel bar user interface. Said banner displays the program information for the "presently selected channel" (Chor, col. 2, lines 22-32) that the user has selected for viewing. However, Chor does not describe using the banner to display a description of a show corresponding to a channel stored in memory while scrolling through the list of channels in memory as recited in claim 19. Therefore, Chor does not describe at least each element of claim 19.

CONCLUSION

Applicants submit that the above remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

Dated: 8-3-06



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